IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	ITED STATES OF AMERICA,)					
	Plaintiff,) 8:12CR73)					
	vs.) DETENTION ORDER					
RO	BERT ANTHONY REYNA,)					
	Defendant.	,					
A.	A. Order For Detention After waiving a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on March 30, 2012, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).						
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 						
C.	distribute methamphetan 846 carries a minimum se maximum of forty years in distribute methamphetar methamphetamine (Cour each carry a maximum se (b) The offense is a crime of (c) The offense involves a red (d) The offense involves a la wit: (2) The weight of the evidence again	nd includes the following: e offense charged: to distribute and possess with intent to nine (Count I) in violation of 21 U.S.C. § entence of five years imprisonment and a nprisonment; the possession with intent to mine (Count VI) and the distribution of nts II-V) in violation of 21 U.S.C. § 841(a)(1) entence of twenty years imprisonment. violence. arcotic drug. arge amount of controlled substances, to inst the defendant is high.					
	may affect wheth The defendant h X The defendant h X The defendant h The defendant is The defendant of ties. Past conduct of the defendant h The defendant h The defendant h	ppears to have a mental condition which her the defendant will appear. as no family ties in the area. as no steady employment. as no substantial financial resources. not a long time resident of the community. does not have any significant community.					

				he defendant has a prior record of failure to appear at	
		(1.)	A (() ()	court proceedings.	
		(b)	At the ti	e of the current arrest, the defendant was on:	
				Probation	
				Parole	
				Release pending trial, sentence, appeal or completion of	
		(0)	Othor E	entence.	
		(C)	Other F		
				The defendant is an illegal alien and is subject to	
				leportation.	
				The defendant is a legal alien and will be subject to leportation if convicted.	
				The Bureau of Immigration and Custom Enforcement	
				BICE) has placed a detainer with the U.S. Marshal.	
				Other:	
				7thor	
Χ	(4)	The r	nature ai	d seriousness of the danger posed by the defendant's	
	(.)			illows: The nature of the charges in the Indictment and the	
				stance abuse and criminal history.	
Χ	(5)	Rebu	ttable Pr	sumptions	
In determining that the defendant should be detained, the Court also re					
		on th	e followi	g rebuttable presumption(s) contained in 18 U.S.C. §	
				ne Court finds the defendant has not rebutted:	
	X	(a)	That no	condition or combination of conditions will reasonably	
		_ , ,	assure t	e appearance of the defendant as required and the safety	
			of any of	er person and the community because the Court finds that	
			the crim	involves:	
				A crime of violence; or	
				2) An offense for which the maximum penalty is life	
				imprisonment or death; or	
			<u>X</u>	3) A controlled substance violation which has a maximum	
				penalty of 10 years or more; or	
				4) A felony after the defendant had been convicted of two	
				or more prior offenses described in (1) through (3)	
				above, and the defendant has a prior conviction for	
				one of the crimes mentioned in (1) through (3) above	
				which is less than five years old and which was	
	V	/I- \	Th 4	committed while the defendant was on pretrial release.	
	X	_ (b)		condition or combination of conditions will reasonably	
				e appearance of the defendant as required and the safety	
				mmunity because the Court finds that there is probable	
			cause to		
			<u>X</u>	1) That the defendant has committed a controlled	
				substance violation which has a maximum penalty of	
				10 years or more. 2) That the defendant has committed an offense under 19	>
				2) That the defendant has committed an offense under 18)
				U.S.C. § 924(c) (uses or carries a firearm during and	
				in relation to any crime of violence, including a crime of	
				violence, which provides for an enhanced punishment	
				if committed by the use of a deadly or dangerous weapon or device).	
				WEAUUI ULUEVICE).	

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: March 30, 2012. BY THE COURT:

s/Thomas D. Thalken

United States Magistrate Judge